

REMARKS

Claims 1-18 are pending after entry of this paper. Claims 1-18 have been rejected. Claims 1 and 17 have been amended. Support for the amendments can be found throughout the instant specification, for instance, at paragraph [0007] of the instant application publication (US2006/0049554). No new matter has been added by these amendments.

Reconsideration and withdrawal of the pending rejections in view of the above amendments and below remarks are respectfully requested.

Examiner Interview

Applicants wish to thank the Examiner for taking the time to conduct an interview with applicants' representative on December 5, 2007. Applicants acknowledge the Examiner's Interview Summary dated December 11, 2007, and believe it to be an accurate representation of the substance of the interview.

Response to Rejections under 35 U.S.C. §103

Claims 1-18 have been rejected under 35 U.S.C. §103(a) for allegedly being obvious over U.S. Patent No. 4,437,651 to Cordier et al. ("Cordier"). Specifically, the Examiner contends that Cordier teaches all the elements of the claims with the exceptions being: a) that the housing is made of copper; and b) the particular dimensions of the groove. The Examiner further contends that both would have been obvious to one of ordinary skill in the art.

In response to applicants' arguments presented in the Amendment filed on September 17, 2007, the Examiner has raised two issues of claim interpretation. First, the Examiner has broadly interpreted the phrase "movable in a vertical direction" to include movement during operation or otherwise, *e.g.*, an assembly/disassembly process. Secondly, the Examiner has broadly interpreted the phrase "made of a single piece" to include two or more pieces connected together that operate as a single piece. Applicants address both hereinbelow.

The remarks set forth in the Amendment of September 17, 2007 remain applicable and are hereby incorporated by reference.

Regarding the phrase "movable in a vertical direction," applicants have amended claims 1 and 17 to recite that the lining element is "movable in a vertical direction with respect to the housing in response to thermal expansion during operation of said furnace or reactor." Amendments to claims 1 and 17 are made solely for the purpose of furthering prosecution and in no way represent prejudice towards or waiver of any subject matter disclosed. Applicants respectfully submit that Cordier et al. neither discloses nor suggests a lining element that is movable in a vertical direction with respect to the housing in response to thermal expansion during operation of said furnace or reactor. Applicants further note for the record that Cordier et al. teaches away from movability at all, stating that the waffle shape of the side of the cooling plate "performs the function of mechanical anchoring of the refractory lining inside the blast-furnace" (col. 2, lines 59-61, emphasis added).

Thus, applicants respectfully submit that claims 1 and 17 are allowable over the art of record.

As an additional matter, regarding the Examiner's interpretation of the housing element being "made of a single piece," applicants respectfully submit that such an interpretation

of this claim element is inconsistent with the specification. Claims must be given their broadest reasonable interpretation consistent with the specification (MPEP §2111). The instant specification states that “[t]he housing is preferably made of one single piece, so that seams in the structure are avoided” (paragraph [0007] of the instant application publication, emphasis added). Interpreting the claim element “made of a single piece” to include “two or more pieces connected together, but operating as a single piece” would be inconsistent with the specification because two or more pieces connected together would have seams in the structure. Applicants submit that a proper interpretation of “made of a single piece” would not include “two or more pieces connected together.” Thus, applicants respectfully request reconsideration of this claim interpretation.

Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-18 under 35 U.S.C. §103(a).

CONCLUSION

Based on the foregoing remarks, applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application. Favorable action by the Examiner is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 4819-4734.

This paper is believed to be timely filed. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 4819-4734.

Respectfully submitted,
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